IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.) Single Bench

Review Petition ~~M.C.C.~~ NO. 35 /2006

APPLICANT : Uddhaw Prasad Sahu
Aged about 29 years
S/o. Mohit Ram, resident of Village – Kapartunga, Tahsil – Sarangarh, District Raigarh (C.G.)

VERSUS

RESPONDENTS

:1. Alha Ram Sahu
Son of Shri Parkhit Sahu, aged about 40 years, R/o. of vill.– Kapartunga, Block- Baramkela, Tehsil Sarangarh, District – Raigarh (C.G.)

2. Janpad Panchayat, Baramkela, Through : Its Chief Executive Officer, at Baramkela, District- Raigarh (C.G.)

3. Gram Panchayat, Kapartunga, Through Its Secretary, Block Baram-kela, District Raigarh (C.G.)

P.R. No. 8652 dt. 29/11/06
Presented by Shri ...
dated ...

COMMISSIONER ... 29/11/06

APPLICATION FOR REVIEW OF THE ORDER DATED 21.09.2006

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

(35)

मामला क्रमांक Revview Petn. 35 सन् 2006

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

08.2.2007 (In Chamber)

This petition has been filed for review of the order dated 21.9.2006 passed in W.P.No.3037/2003.

The above writ petition was filed by respondent no.1 herein, who has challenged the legality of his removal from the post of Panchayat Karmi/Secretary of the concerned Gram Panchayat (Annexure P-1). This Court, at the instance of respondent no.1, quashed the aforesaid order on the grounds mentioned in the order dated 21.9.2006 relying on the previous decisions of this Court passed in the matter of ***Prakash Chandra Patel –vs- State of Chhattisgarh reported in 2004 Law Times (C.G) Pg.142*** and the Division Bench Decision of this Court in W.P.No.1656/2006 and also the Single Bench Decision of this Court in W.P.No.2356/2006.

Admittedly, this review petitioner was not a party in the said writ petition. The contention of the petitioner is that after removal of the respondent no.1 from the post of Secretary, Panchayat Karmi, vide order Annexure P-1 filed in the writ petition, he was appointed as the *Panchayat Karmi*, and after passing of the order dated 21.9.2006, the consequence of that order is to be followed and his rights would be affected, therefore, the order dt.21.9.2006 be reviewed and he should be given opportunity of hearing in this matter.

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक Review Petn. 35 सन् / 2006

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Admittedly, so far as quashment of the removal order of the respondent no.1 is concerned, the review petitioner has no say to it. It was a quashment on legal grounds and the grievance of the review petitioner is regarding consequence of the order. It is also an admitted position that this review petitioner was not a party in Writ Petition No.3037/2003. In view of the above, I do not find any reason to review/modify the order passed in favour of respondent no.1 at the instance of the review petitioner who is a third party and who has no say on the merits of the order passed in favour of respondent no.1 and who was not at all related to the cause of action accruing in favour of the writ petitioner for filing the W.P.No.3037/2003.. The review petition has no merits. The same is not required to be listed for hearing on Board. It is liable to be dismissed and is accordingly dismissed in Chamber. **Sd/-** **Sunil Kumar Sinha** **Judge**	

(पीछे देखिये)